



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड ॥ ८ ॥

शिमला, शनिवार, 15 मितम्बर, 1956

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भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुड़िशल कमिशनर जे कोर्ट द्वारा अधिसचनाएं दृत्यादि

JUDICIAL COMMISSIONER'S COURT

HIMACHAL PRADESH GOVERNMENT

NOTIFICATION

NOTIFICATION

NAME DEPARTMENT

NOTIFICATIONS

Simla-A the 8th September 1956

No. J. C. 4(6)/1952.—In exercise of the powers conferred by section 139(b) of the Code of Civil Procedure Act V of 1908, the Judicial Commissioner, Himachal Pradesh, has been pleased to appoint for a period of two years from 1st January, 1956, the following Legal Practitioners, as Commissioners for administering Oaths and affirmations to deponents of affidavits under the said code within the Local limits of Chamba District, Himachal Pradesh in accordance with the terms specified in paragraph 5 of Chapter-12-B, High Court Rules and Orders, Volume IV, as applied to Himachal Pradesh.

Name of Legal Practitioners

Name of Legal Practitioners.

1. Shri Shakti Parshad, Advocate
2. Sri Shri Nath, Pleader

Place and District.

Chamba District.

By order,
H. L. SONI,
Registrar.

By order,
K. R. CHANDEL,
Assistant Secretary.

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Table 4. $\text{Ag}^{+}/\text{Ag}^{2+}$

Simla-4, the 10th September, 1956

No. HGT. 77-9/54.—The Lieutenant Governor, Himachal Pradesh is pleased to sanction 15 days' earned leave to Shri A. D. Bali, Deputy Superintendent of Police, Criminal Investigation Department, Himachal Pradesh, with effect from the 30th April, 1956, (fore-noon).

K. R. CHANDEL,
Assistant Secretary.

CO-OPERATIVE DEPARTMENT

CORRIGENDUM

Simla-4, the 6th September, 1956

No. CS. 92-242/56.—Corrigendum to Himachal Pradesh Government Gazette notification No. CS.92-242/56, dated the 20th August, 1956 granting 30 days' earned leave to Shri H. L. Barotra, District Co-operative and Supplies Officer, Mandi.

"21st August, 1956 (Afternoon)" may please be substituted for "27th August, 1956 with permission to prefix Sunday falling on 26th August, 1956" in the above Notification.

By order,
A. B. MALIK, I.A.S.,
Secretary.

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 10th September, 1956

No. LR-8-32/54.—As the period of three years for which the appointment of Shri Dina Nath, as part-time Public Prosecutor and Government Advocate for Mandi District was made vide this Government notification No. LR-19-55/49, dated the 22nd September, 1954, expires on the 31st August, 1956, the Lieutenant Governor, Himachal Pradesh, is pleased to re-appoint him to the above post with effect from 1st September, 1956, till 14th January, 1957, when he will attain the age of 55 years, on the same pay and other terms as previously sanctioned.

By order,
LAKSHMAN DASS,
Assistant Secretary (Judicial).

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-4, the 3rd September, 1956

No. PW. 58-29/56-37685-87.—The headquarters of Electrical Sub-Division, Bilaspur, are hereby shifted from Bilaspur to Mandi temporarily with effect from 15th September, 1956, in the public interest.

Simla-4, the 6th September, 1956

No. PW-59-8/56-38411-15.—Shri M. Rama Rao, Executive Engineer on transfer from Public Health Division, Simla took over charge of Mahasu B&R Division, Simla on the forenoon of 25th August, 1956 from Shri N. L. Sharma who was holding acting charge in addition to his own duties.

Simla-4, the 7th September, 1956

No. PW-12-9-2/52-38570-72.—Shri Yadav Nandan Malhotra, Executive Engineer, Hydro-Electrical Division No. 1 Simla took over charge on 22nd August, 1956 forenoon after availing 21 days earned leave with effect from 31st July, 1956 to 20th August, 1956 with permission to suffix 21st August, 1956 being a Gazetted Holiday on account of Raksha Bandhan.

Simla-4, the 7th September, 1956

No. PW-13-9-3/50-I-38575-70.—91 days earned leave preparatory to retirement is hereby sanctioned in favour

of Shri M. R. Sautha, Assistant Engineer, Electrical Sub Division, Mandi with effect from 14th August, 1956 forenoon upto 12-11-56.

Simla-4, the 10th September, 1956

No. PW-59-87/56-38939-42.—Shri B. Ghosh, Executive Engineer, on deputation from Central Public Works Department to Himachal Pradesh P.W.D., took over charge of Public Health Division, Mandi, on the forenoon of 25th August, 1956 from Shri D. Mukerjee, Executive Engineer, Mandi B & R Division, Mandi who was holding dual charge.

G. R. NANGEA,
Secretary.

REVENUE DEPARTMENT

NOTIFICATIONS

Simla-4, the 7th September, 1956

No. R. 60-43/56.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Solan-Minus Road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, to all whom it may concern, and under the provisions of Section 7 of the said Act, the Collector Land Acquisition, Himachal Pradesh P.W.D., is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector Land Acquisition, Himachal Pradesh, P.W.D., Kennedy House, Simla.

SPECIFICATION

District: SIRMUR Tehsil: PACHHAD

Khasra No.	Area			1	2	3
	1	2	Bis.			
<i>Village: PABYANA</i>						
56/1	0	3		48/1	0	15
61/1	0	1		57	0	7
64/1	0	8		136/75/1	6	18
65/1	0	3				
70/1	0	2				
146/71/1	0	13		103/1	0	5
148/72/1	0	2		105/1	0	1
154/137/75/1	0	9		306/101/1	0	7
163/76/1	1	7		305/101/1	0	3
163/76/3	0	14		301/101/3/1	0	16
44/1	0	4		106/1	1	7
44/2	0	3		96/1 min.	0	2
66/1	0	1		104/2/1	1	4
39/1	0	1		104/2/3	3	8
141/41/1	0	4		104/1	0	2
141/41/2	0	3		107/1	0	1
142/41/1	0	11		108/1	3	0
142/41/3	0	11				
143/41/1	0	5				
143/41/2	1	0				
42	0	13		<i>Village: TIKRI</i>		
43	0	10		284/112/1	9	14
52/1	0	3		<i>Village: MATNALI</i>		
53/1	0	4		49/1	0	7
58	1	0		57/1	0	7
59	0	6		58/1	0	8
60/1	0	18		59	0	2
62/1	0	1		60/1	0	6
63/1	0	1		78/1	0	4
69/1	0	2		112/1	0	1
147/72/1	0	16		113/1	12	6
165/76/1	0	8				
171/76/1	0	16				
173/77/1	0	4				
174/77/1	1	1				
54/1	0	1		<i>Village: KANOFTA</i>		
55/1	1	9		108/63/1	3	18

	1	2	3	1	2	3	1	2	3	1	2	3	
65/1		0	8	Village: JUNYON	129	0	4	19/1/1		0	15		
67/1		0	5		149	0	4	19/1		2	10		
66/1		8	19		215/2	0	8	21/1		0	6		
97/1		0	5	4/1	1	6	162	0	3	20/1		0	
64		1	8	120/6/1	0	6	182	0	6	28/1		0	
66/1		0	3	69/1	0	1	183/1	0	3	29/1		1	
66/3		0	2	81/1	2	6	173/1	0	10	36/1		2	
			70		0	2	330/1	0	2	40/1		17	
Total	..	17	8	141/27/1	1	4	96/1	0	1	14/1		4	
				33/1	0	2	148	0	5	15/1		12	
Village: BATARYA				34/1	0	4	163	0	4	40/16/1		5	
10		0	3	71	1	6	165	0	3	Village: NALAG		5	
11/1		1	11	93/1	0	16	180/2	0	2	120/1		9	
55/1		0	2	9/1	0	15	224/2	0	2	171/1		6	
54/1		0	7	72/1	0	1	312/1	0	3	218/1		3	
38/1		0	3	75/1	0	3	225/1	0	1	562/306/1		5	
39/1		1	3	77	0	4	347/1	0	1	201		3	
40/1		0	7	8/1	1	3	348/1	0	5	215/1		2	
40/2		0	7	32/1	0	0	103	0	6	166		8	
43/1		0	2	78/1	0	4	161/1	0	1	165/1		5	
65/1		0	4	76/1	1	2	174/1	0	1	216/1		5	
59/1		0	8	121/6/1	0	15	184	0	2	217/1		8	
57/1		0	19	29/1	0	18	123/2	0	6	119/1		2	
63/1		0	2	10/1	0	6	Village: NIHARKHAN	308/1		308/2		6	
41/1		1	3	73/1	0	3	BASLA	308/2		0		2	
60/1		0	13	74/1	0	6	1981/1	0	2	204/1		4	
60/2		0	2	7/1	2	10	1981/2	0	16	93/1		15	
71/45/1		0	1	148/129/114/1	8	18	1980/1	1	6	93/2		13	
61/1		0	3	83/1	3	8	1978/1	0	2	202/1		9	
62/1		0	2	83/2	8	16	2089	0	10	117/1		4	
64/1		0	5	68/1	0	1	2114/1	1	16	88/1		7	
67/1		0	1				2088/1	0	12	92/1		1	
58/1		1	11				1932/1	0	11	212/1		16	
Total	..	9	19	Total	..	37	6	1930/1	0	2	213/1		7
							1930/1/1	2	2	222/1		1	

Simla-4, the 7th September, 1956

No. R. 60-82/56-II.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for the construction of Simla-Mandi road via Bilaspur it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of land Acquisition, Himachal Pradesh, P.W.D., Kennedy House, Simla.

SPECIFICATION

District: BJLASPUR			Tehsil: GHUMARWIN			Tehsil: BAROTAJATAN		
Khasra No.	Area		1	2	3	1966	1965/1	1964/1
	Big.	Bis.						
1	2	3	77/1	0	8	1819/1	0	8
Village: TIKRI			100/2	0	4	1992/1	0	1
315/1	0	1	307/2	0	7	1993/1	0	4
127/2	0	9	349/1	0	8	1967/1	0	3
313/1	0	8	126	0	6	1994	0	18
78	0	7	167/1	0	2	2070/1	2	4
308/1	0	7	223/2	0	6	2226/1	0	12
101	0	8	314/1	0	1	2071/1	0	4
228/1	0	9	166	0	5	2116/1	2	4
329/1	0	4	125	0	4	2117/1	0	7
350/1	0	3	150	0	1	1864/1	0	8
95	0	2	172/2	0	5	1871/1	0	8
102	0	1	93	0	7	63/1	1	5
94/2	0	5	128	0	2	Village: BAROTAJATAN		
222/1	0	3	185/2	0	7	1/1/1		
151/1	0	6	328/1	0	1	18	0	12

Khasra No.	Area			1	2	3	1	2	3	1	2	3
	Big.	Bis.	Bisw.									
1/1/3	0	1	52		0	4	Village: KARKHAR	144/1	4	1	9	
1/1/4	3	3	134/53/1		0	1	1/1	149/1	1	15		
1/1/5	0	18	51/1		0	2	15/1	1	2	163/1	0	5
			55/1		0	2	2/1	1	2	167/1	0	3
			136/53/1		0	3	14/1	0	13	Village: NAMHOL		
			140/60		0	10	16/1	0	2	176	0	16
			55/2		0	4	18/1	0	8	177	0	13
			68/1		1	0						
	Village: MANDHERI						Village: NIHAL	179/1		0	11	
32/1	1	19	18	68/2		0	1	546/1		0	1	
41/2	0	10	5	66/1		0	1	306/1	0	8	546/1	
41/3	0	1	2	86/1		1	8	311/1	0	1	565/1	
43/2	4	16	18	85/1		2	5	319/1	1	1	178	0
28/1	0	3	17	87/1		1	1	307	0	4	281	0
40/1	2	9	10	Village: DIARA				288		0	5	
121/86/2	2	10	10	264/1		0	8	282	0	2	291/1	
87	0	19	11	225/1		2	3	308/1	0	1	540/1	0
120/86/1	0	0	19	67/1		0	4	310	0	2	540/2	0
90/2	0	1	12	64/1		0	3	279/1	0	1	552/1	4
91/1	0	0	10	231/1		1	7	278/1	0	1	566/1	0
35/1	0	9	2	222		0	4	281/1	0	2	568/1	1
35/2	0	2	9	97		0	3	283/1	0	4	286	0
33/1	0	18	8	98		0	4	303/1	0	1	567/1	0
39/1	0	1	6	223		0	8	305/1	0	1	287	0
44/1	0	8	5	221		0	14	309/1	0	1	289	0
46/2	0	2	1	Village: BALOH				17/1	2	6	292/1	0
114/103/1	0	1	4	6/1		0	4	8/1	0	6	175	0
115/103	0	10	16	8/1		0	1	317/1	0	5	553/1	1
Village: DOKHRA				9/1		0	2	316/2	0	1	290/1	1
44/34/1	0	13	12	7/1		0	1	316/8	0	3	301/1	0
45/34/1	0	2	14	1/1		0	8	321/1	3	7	Village: BANOLA	
3/1	0	16	12	20/1		0	14	379/1	2	7		
				11/1		0	2	378/1	1	6	62/1	0
	Area			41/1		0	1	561/1		0	4	
Khasra No.	Big.	Bis.		42/1		0	1	61/1		0	6	
1	2	3		60/1		0	2	165/1	0	1	277/1	
Village: KUNALA				Village: LAKHANPUR				174/1	5	15	278/1	2
20/1 min.	1	15		178/1		0	3	183/1	2	4	603/282/1	6
17/1	0	11		179/1		3	5	184/1	1	13	271/1	0
79/1	9	12		180/1		0	8	162/1	3	7	272/1	1
89/1	0	17		Total	..	3	16					
20/1 min.	0	5										
80/1	1	9										
20/1 min.	0	5										
20/1 min.	0	15										
71/1	0	11										
141/61/1	0	2										
59/1	0	2										
142/61/1	0	2										
56	1	6										
57	0	6										
58/1	0	7										
69/1	0	1										
139/60	0	10										
146/77/1	0	15										
				3/1		1	9					
				Village: BANUANA								
				41/1		1	3					
				42/1		0	7					
				43/1		1	12					
				43/2		0	3					
				44/1		0	8					
				45/1		0	6					
				46/1		0	8					
				47/1		1	14					
				29/1		1	15					

Simla-4, the 10th September, 1956

No. R. 34-3/56.—The Lieutenant Governor, Himachal Pradesh, is pleased to extend the period of re-employment of Sarvshri Goverdhan Singh and Durga Dass Tehsildars by further 6 months with effect from 28th June and 1st July, 1956 respectively.

By order,
BASANT RAI,
Assistant Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभान्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमूचनाएँ इत्यादि

PLANNING AND DEVELOPMENT DEPARTMENT

NOTIFICATIONS

Simla-5, the 1st September, 1956

No. D. 108-14/54-II.—Shri Charan Ram Negi, Block Development Officer, Kasumti-Suni Block, sanctioned 30 days earned leave has handed over charge of his duties to Shri Durga Dass, Tehsildar, Kasumti Tehsil with effect from the afternoon of the 20th August, 1956.

Shri Durga Dass will perform the duties of Block Development Officer in addition to his own and no extra remuneration will be granted to him.

Simla-5, the 7th September, 1956

No. D. 108-14/54-II.—Ex-post-facto sanction is hereby accorded to the grant of under-mentioned leave to Shri Gulab Singh Jhina, Ex-Block Development Officer,

N. E. S. Block, Chachiot:—

33 days' earned leave from 10-4-56 to 12-5-56.

7 days' half pay leave from 13-5-56 to 19-5-56 with permission to affix Sunday the 20th May, 1956 thereto.

A. B. MALIK,
Development Commissioner.

FOREST DEPARTMENT

NOTIFICATIONS

Simla-4, the 7th September, 1956

No. Ft. 29-86/48-III.—On the provisional verification of the title of leave by the Accountant General, Punjab, Shri Sant Ram, P.F.S. (I), Systematic Botanist, Nahana is granted earned leave for 65 days from 28th April to 1st July, 1956.

Simla-4, the 31st August, 1956

No. Ft. 43-222/51-Research—In exercise of the powers vested in me under item No. 54 of Appendix 13 of F.R.

S. R. Volume II, I hereby declare the Systematic Botanist, Himachal Pradesh, Sirmur District, Nahan to be Controlling Officer in respect of non-gazetted staff under him.

G. S. SINGH.
Chief Conservator of Forests.

**OFFICE OF THE DISTRICT MAGISTRATE,
SIRMUR DISTRICT, NAHAN**

NOTIFICATIONS

Nahan, the 7th September, 1956

No. 2192-P-DC/56.—In pursuance of rule 23(1) of the Himachal Pradesh Panchayat Rules, the following Officers are appointed as Returning Officers for election in respect of the vacant seats in the Gram Panchayats noted against each, which will be held from 22-10-56 to 30-10-56 between 10 A.M. to 5 P.M. with break of one hour from 1 P.M. to 2 P.M.

Name of Tehsil	Returning officer	Name of Gram Panchayat
1	2	3
Nahan	1. Tehsildar, Nahan	1. Nahan 2. Surla Charjan

	1	2	3
Paonta	Inspector, Co-operative and Panchayat, Nahan	1. Thana Kishoga 2. Nehog 3. Naoni	
Rainka	Inspector, Co-operative and Panchayats, Paonta	1. Kamron 2. Nagheta	
	1. Inspector, Co-operative and Panchayats, Rainka	1. Barol 2. Rajana	
	2. Sub-Inspector, Co-operative and Panchayats, Bhowai	1. Bhawai 2. Sainj	
	3. Sub-Inspector, Co-operative and Panchayats, Shallie	1. Sangrah	
Pachhad	1. Inspector, Co-operative and Panchayats, Pachhad	1. Rajon 2. Sharia 3. Bhelan 4. Bajga	
	2. Sub-Inspector, Co-operative and Panchayats, Sarhan	1. Kathar 2. Narag 3. Drabli	
	3. Sub-Inspector, Co-operative and Panchayats, Rajgarh	1. Dibbar 2. Wasni 3. Dhar Tekri (Jarag) 4. Mangarh.	

Nahan, the 7th September, 1956

No. 2194-P-DC/56.—I, C.L. Kapila, District Magistrate, Sirmur District hereby notify for the information of the public the vacant seats in different Gram Panchayats in Sirmur District to be filled through re-election under rule 100 of the Himachal Pradesh Panchayat Rules which will be held from 22-10-56 to 30-10-56 between 10 A.M. to 5 P.M. with break of one hour from 1 P.M. to 2 P.M.

Sl. No.	Name of Gram Panchayats	Constituency for un-reserved seats	Name of vacant seats			Reservation for scheduled castes			Total	Grand Total
			Pra-dhan	Up-pra-dhan	Un-reserved	Male	Female	General		
TEHSIL NAHAN										
1.	Naoni	Chabhan	1	..	1	..	..	..	2	
2.	Nahan	Amwala-Senwala II	1	..	1	..	..	..	2	
3.	Thana Kishoga	Phaberi Tikkar	..	..	1	..	..	..	1	
4.	Nehog	Rahor	..	..	1	..	..	..	1	
5.	Surla Charjan	Lana Kotla	..	..	1	..	..	..	1	7
TEHSIL PAONTA										
1.	Kamron	Kamron IV	..	..	1	..	1	2	1	
2.	Nagheta	—	..	..	..	..	..	..	3	4
TEHSIL RAINKA										
1.	Bhowai	—	..	1	..	2	..	..	3	
2.	Sangrah	Girga Chinar	..	..	1	..	1	..	2	
3.	Barol	Barol II	..	..	1	..	..	..	1	
4.	Rajana	1. Boharli 2. Rerli	)	..	2	..	..	..	2	
5.	Ghandwri	—	..	..	..	1	..	..	1	
6.	Sainj	—	..	1	..	..	..	..	1	10
TEHSIL PACHHAD										
1.	Dibbar	Deothi Manjgon III	..	..	1	..	..	..	1	
2.	Wasni	—	..	..	..	3	..	2	5	
3.	Rajon	—	..	..	..	1	..	..	1	
4.	Kathar	Kheri Shalyar Chakron Baga	)	1	..	2	..	..	..	3
5.	Narag	—	..	..	..	2	..	..	3	
6.	Sharla	—	..	..	..	..	..	..	1	1
7.	Drabli	Daron Deorla	..	1	..	1	..	..	2	
8.	Naina Ghar	—	..	1	..	1	..	..	1	2
9.	Dhar Tekri (Jarag)	Dhar Bharanji	..	..	1	..	..	..	..	1
10.	Mangarh	Danwal	..	..	1	..	..	..	1	
11.	Bhelan	1. Phagla 2. Chowki Charech	)	1	..	2	..	..	..	3
12.	Bajga	1. Kamahan Banjan 2. Shampur Chandog	)	..	2	..	..	..	2	25

भाग 3—अर्थानियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम वथा हिमाचल प्रदेश के उपराज्यपाल, जुहिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

LAW DEPARTMENT

NOTIFICATIONS

Simla-4, the 7th September, 1956

No. LR. 1-49/56.—In pursuance of Section 33A of the Government of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English Translation of "Himachal Pradesh Ki Chhoti Nehron Ka (Sanshodhan) Adhiniyam, 1956, [The Himachal Pradesh Minor Canals (Amendment) Act, 1956] as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 16th, April, 1956.

Act No. 7 of 1956

Himachal Pradesh Minor Canals (Amendment) Act, 1956

AUTHORISED TEXT

**AN
ACT**

to amend the Himachal Pradesh Minor Canals Act, 1955.

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows :

1. Short title.—(1) This Act may be called the Himachal Pradesh Minor Canals (Amendment) Act, 1956.

2. Amendment to section 41 of the Himachal Pradesh Minor Canals Act (Act No. XIV of 1955).—In section 41 of the Himachal Pradesh Minor Canals Act, 1955 (Act No. 14 of 1955) in sub-section (6) for the word 'year' the word 'crop' shall be substituted.

Simla-4, the 7th September, 1956

No. LR. 1-48/56.—In pursuance of Section 33A of the Government of Part 'C' States Act, 1951, the Lieutenant Governor, Himachal Pradesh, is pleased to order the publication of the following English Translation of Himachal Pradesh Legislative Assembly (Salaries and Allowances) (Sanshodhan) Adhiniyam, 1956, (The Himachal Pradesh Legislative Assembly (Salaries and Allowances) (Amendment) Act, 1956), as passed by the Himachal Pradesh Vidhan Sabha and assented to by the President on the 17th May, 1956.

Act No. 9 of 1956

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) (AMENDMENT) ACT, 1956

AUTHORISED TEXT

**AN
ACT**

to amend the Himachal Pradesh Legislative Assembly (Salaries and Allowances) Act, 1952.

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Seventh Year of the Republic of India as follows :

1. Short title.—This Act may be called the Himachal Pradesh Legislative Assembly (Salaries and Allowances) (Amendment) Act, 1956.

2. Amendment of section 4 of the Himachal Pradesh (Salaries and Allowances) Act, 1952 (Act No. VII of 1952).—For section 4 of the Himachal Pradesh Legislative Assembly (Salaries and Allowances) Act, 1952 (Act No. VII of 1952), (hereinafter referred to as the principal Act), the following section shall be substituted :

4. Residence of Speaker and Deputy Speaker.—(1) The Speaker and the Deputy Speaker shall be entitled without payment of rent to the use of furnished residences while in office and for a period of fifteen days

immediately thereafter and no charge shall fall on the Speaker or the Deputy Speaker personally in respect of the maintenance of such residence.

- (2) If the Speaker or the Deputy Speaker is not provided with or is not using a free furnished residence, he shall be paid Rupees 100 per mensem as house rent allowance.
- (3) In respect of the rental value of the free furnished residence or house rent allowance in lieu thereof, no charge whatsoever of income-tax levied in accordance with the Income Tax Act, 1922, shall fall on the Speaker or the Deputy Speaker and it shall be borne by the Government.

Explanation.—The Deputy Speaker will be entitled to the benefits provided for in sub-sections (1) to (3) with effect from April 1, 1956."

3. Amendment of section 7 of the Principal Act.—In section 7 of the principal Act, for the words "the Speaker and the members of his family" the words "the Speaker and the Deputy Speaker and the members of their families" shall be, and shall be deemed always to have been, substituted.

By order,
LAKSHMAN DASS,
Assistant Secretary.

भाग 4—स्थानीय स्वायत्त शासन, बिलासपुर बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन एसिया तथा पंचायत विभाग

LOCAL SELF GOVERNMENT

NOTIFICATIONS

Simla-4, the 7th September, 1956

No. (2) LSG.1/54.—In accordance with the provisions of section 4(3) of the Punjab Small Towns Act, 1921 as applicable to Bilaspur it is notified that the following persons have been appointed under section 3(2) of the said Act, as members of the Small Town Committee Bilaspur.

1. Sub-Divisional Officer, P.W.D., B&R I, Bilaspur.
2. Medical Officer Incharge, Government Hospital, Bilaspur.

Simla-4, the 7th September, 1956

No. (1) LSG.1/54.—In pursuance of the provisions of Sub-section (3) of section 4 of the Punjab Small Towns

Act, 1921 as applicable to Bilaspur the Lieutenant Governor is pleased to notify the names of the following persons who have been elected as members of the Small Town Committee, Bilaspur, in accordance with the provisions of section 4(2) of the said Act, and the rules made thereunder:—

1. Shri Sukh Dev S/o Shri Heerama Nand.
2. Shri Sukh Dev S/o Shri Meehlar.
3. Shri Narottam Datt.
4. Shri Sohan Lal.
5. Shri Anant Ram.
6. Shri Som Nath.
7. Shri Dina Nath.

H. R. MAHAJAN,
Assistant Secretary.

भाग 5—वैयक्तिक अधिसूचनाएँ और विज्ञापन

न्यायालय श्रीमान जे० पी० ठाकुर साहिब सीनियर सब जज, चम्बा,

हिमाचल प्रदेश

पूरन चन्द पृत्र परसराम, जाति महाजन, सकना पधर, परगना

लोहटिकरी....मुद्रई

बनाम

लुद्रर पृत्र लख्या, जाति रवि, सकना भराडा, परगना लोहटिकरी
....मुद्राला।

दावा दलापाने मु० 390 रुपए बरुए तमस्क मुहरा 29 बसाल,
सं० 2010

मुद्रा

जे० पी० ठाकुर,

सीनियर सब जज,

चम्बा।

न्यायालय श्रीमान जे० पी० ठाकुर साहिब, सीनियर सब जज,
चम्बा, हिमाचल प्रदेश

चतरो पृत्र माझो राम, जाति ब्राह्मण, सकना मुहल्ला हटनाला,
शहर चम्बा :....मुद्रई

बनाम

(1) मदेश दास पृत्र गोपाला जाति ब्राह्मण, सकना शहर चम्बा,
मुहल्ला हटनाला, (2) संत राम पुत्र माझो राम, जाति ब्राह्मण, ग्राम
पधर, परगना साहो, (3) देवी प्रसाद पृत्र मधो राम, जाति
ब्राह्मण, सकना शहर चम्बा, मुहल्ला हटनाला इत्यादि... मुद्रालम।

दावा दखिल जुदागाना वज्रिया तकतीम जापदाद

उपरोक्त मुकदमा में मुहल्ला लुद्रर के नाम समन जारी किए गए
परन्तु बिला तामील वापस आए। विदित होता है कि मुहल्ला जान
बूझ कर समन की तामील करने से टाल मटोल कर रहा है। अतः
अदालत की तसल्ली हो गई है कि साधारण साधनों से मुहल्ला पर
तालील नहीं हो सकती। अतः मुहल्ला को विज्ञापन द्वारा सूचित
किया जाता है कि वह 23-10-56 को स्वयं अदवा वकील द्वारा
उक्त अदालत में हाजिर होकर जवाब देही व पैरवी मुकदमा करे।
अन्यथा उसके विलाफ कार्यवाही यकतरका अमल में जारी जावेगी
और मुकदमा का फैसला किया जावेगा। आज तिथि 5-9-56 को

उक्त शीर्षक मुकदमा में अदालत को रिपोर्ट तामील कुनिंदा व व्याप हाजरी वादी से निश्चय हो नुका है कि प्रतिवादी पर सावारण तौर से तामील नहीं हो सकती। अतएव इस इश्तहार द्वारा प्रतिवादी 2, 3, 7, 9 को सूचित किया जाता है कि वह स्वयं या वकील द्वारा अपने मुकदमे की पैरवी इस व्यायालय में उपस्थित हो कर 20-9-56 को 10 बजे प्रातः करे अन्यथा उसके विपरीत कार्यवाही यक्तरका अमल में लाई जावेगी।

आज तिथि 25 मार्च 8 सन् 1956 ई० हमारे हस्ताक्षर व मोहर व्यायालय के जारी किया गया।

तारा चन्द रिवाल,
एडीशनल सब जज, मन्डी।

मुद्रा

इश्तहार जेर आर्डर 5, रूल 20 जाब्ता दीवानी
ब्रादालत श्री ओम प्रकाश बी० ए०, एल०एल०बी०, डिस्ट्रिक्ट
जज मंडी, हिमाचल प्रदेश
मिसल न० 30, मरज्जा 9-5-56
पदम प्रत्यग्नेश, जात राजपूत, सकना थटा, इलाका डाहर सराज,
तहसील चच्चोट.....अपिलान्ट।

बनाम

(1) मु० बालो जौजा थलु, जात राजपूत, सकना खनेआ फाटी पजाली

कोटी, तहसील बंजार, कुल, (2) कातकु पुत्र प्रोशोदम, जात राजपूत, सकना थटा, ई० डाहर सराज, तहसील चच्चोट, (3) माथु पुत्र मोतीराम, जात राजपूत, सकना थटा, ई० डाहर सराज, तहसील चच्चोट.....रैस्पार्डन्टम।

अपील विनाराजगी फैसला अदालत सीनियर सब जज, मन्डी
तिथि 24-4-56

मु० बालो जौजा थलु राजपूत, सकना खनेआ फाटी पजाली कोटी, तहसील बंजार कुल.....रैस्पार्डन्ट।

मुकदमा मन्दरजा वाला की पेशी 28-9-56 को अदालत हज़ा में मुकर्रर है। इसमें मु० बालो रैस्पार्डन्ट पर मामूली तरीका से तामील समन हीनी मुश्किल है इसलिए मु० बालो रैस्पार्डन्ट को बजारीया इश्तहार हज़ा मुलाह किया जाता है कि वह अमालनन या बकालन हाज़र अदालत होकर मुकदमा की पैरवी व जवाबदेही करे। उसके खिलाफ कार्यवाही यक्तरका का दुक्म दिया जावेगा। आज मेरे दस्तखत व मोहर अदालत तिथि 6 सितम्बर, 1956, को जारी किया गया।

(हस्ताक्षरित)
डिस्ट्रिक्ट जज, मन्डी।

मुद्रा

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

HOME DEPARTMENT

NOTIFICATION

Simla-4, the 10th September, 1956

No. HGT. 21-2/55.—The following orders issued by the Government of India, Ministry of Information and Broadcasting and published in the Gazette of India, Part II, Section 3 are hereby re-published for information of general public.

- Order No. 14/2/56-FD: App. 87, dated the June, 1956.
- Order No. 14/2/56-FD: App. 88, dated the 15th June, 1956.

K. R. CHANDEL,
Assistant Secretary.

GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi-2, the June, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the

said schedule. SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 399.	Govt. of India, Films Division, Bombay.	Govt. of India, Films Division, Bombay.	Film dealing with news and current events. (14/2/56-FD:App. 87)

New Delhi-2, the 15th June, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 400.	Govt. of India, Films Division, Bombay.	Govt. of India, Films Division, Bombay.	Film dealing with news and current events. (14/2/56-FD: App. 88)

D. R. KHANNA,
Under Secretary.

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 10th May, 1956

No. LR. 1-80/55.—The following Acts recently passed by the Parliament of India and already published in the Gazette of India, Extra-ordinary, Part II, Section I, dated 20th March, 1956, 21st March, 1956 and 22nd March, 1956 respectively, are hereby republished in the Himachal Pradesh Government Gazette for the information of the general public:

B. D. SHARMA,
Assistant Secretary (Judicial).

Received Assent on 20-3-56

THE APPROPRIATION ACT, 1956

(5 OF 1956)
AN
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1955-56.

Be it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Appropriation Act, 1956.
2. Issue of Rs. 19,41,64,000 out of the Consolidated Fund of India for the year 1955-56.—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of nineteen crores, forty-one lakhs and sixty-four thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1955-56, in respect of the services specified in column 2 of the Schedule.
3. Appropriation.—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See section 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
1	2	3	4	5
1	Ministry of Commerce and Industry	3,30,000	..	3,30,000
2	Industries	1,12,00,000	..	1,12,00,000
3	Commercial Intelligence and Statistics	4,33,000	..	4,33,000
5	Ministry of Communications ..	1,44,000	..	1,44,000
6	Indian Posts and Telegraphs Department	25,00,000	..	25,00,000
17	Archaeology	6,56,000	..	6,56,000
24	Miscellaneous Expenditure under the Ministry of External Affairs	1,22,000	..	1,22,000
30	Stamps	16,03,000	..	16,03,000
33	Currency	9,15,000	..	9,15,000
34	Mint	3,07,000	..	3,07,000
36	Superannuation Allowances and Pensions .. ..	..	21,10,000	21,10,000
37	Miscellaneous Departments and Other Expenditure under the Ministry of Finance ..	4,37,02,000	11,25,000	4,48,27,000
38	Grants-in-aid to States ..	..	36,42,000	36,42,000
39	Miscellaneous Adjustments between the Union and State Governments ..	2,64,000	..	2,64,000
40	Pre-partition Payments ..	..	1,71,000	1,71,000
53	Police ..	38,88,000	..	38,88,000
55	Privy Purses and Allowances of Indian Rulers .. ..	..	1,61,000	1,61,000
64	Miscellaneous Departments and Expenditure under the Ministry of Information and Broadcasting	11,60,000	..	11,60,000

1	2	3	4	5
74	Ministry of Law	8,37,000	4,000	4,000
80	Geological Survey	2,53,000	..	2,53,000
86	Salt ..			
89	Miscellaneous Departments and Expenditure under the Ministry of Production ..	11,65,000	..	11,65,000
91	Expenditure on Displaced Persons ..	11,39,57,000	..	11,39,57,000
98	Miscellaneous Expenditure under the Ministry of Transport ..	18,00,000	..	18,00,000
100	Supplies ..	..	4,000	4,000
	CHARGED.—Union Public Service Commission			
128	Other Capital Outlay of the Ministry of Irrigation and Power	2,90,000	..	2,90,000
		14,21,000	..	14,21,000
	Total ..	18,66,57,000	75,07,000	19,41,64,000

*Received Assent on 21-3-56***THE VOLUNTARY SURRENDER OF SALARIES (EXEMPTION FROM TAXATION) AMENDMENT ACT, 1956**

(6 of 1956)

AN

ACT

further to amend the Voluntary Surrender of Salaries (Exemption from Taxation) Act, 1950

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Voluntary Surrender of Salaries (Exemption from Taxation) Amendment Act, 1956.2. **Insertion of new section 3.**—In the Voluntary Surrender of Salaries (Exemption from Taxation) Act, 1950, (61 of 1950) after section 2, the following section shall be inserted, namely:—“3. **Provisions of section 2 to apply to allowances.**—The provisions of section 2 shall apply in relation to any allowances specified in, or determined by, any of the laws mentioned in that section which are due to any such person as is referred to there in for any period after the 1st day of April, 1955, as they apply in relation to any salary so specified or determined.”*Received Assent on 21-3-56***THE SALES-TAX LAWS VALIDATION ACT, 1956**

(7 of 1956)

AN

ACT

to validate laws of States imposing, or authorising the imposition of, taxes on the sale or purchase of goods in the course of inter-State trade or commerce.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Sales-Tax Laws Validation Act, 1956.2. **Validation of State laws imposing, or authorising the imposition of, taxes on sale or purchase of goods in the course of inter-State trade or commerce.**—Notwithstanding any judgment, decree or order of any court, no law of, a State imposing, or authorising the imposition of, a tax on the sale or purchase of any goods where such sale or purchase took place in the course of inter-State trade or commerce during the period between the 1st day of April, 1951 and the 6th day of September, 1955, shall be deemed to be invalid or ever to have been invalid merely by reason of the fact that such sale or purchase took place in the course of inter-State trade or commerce; and all such

taxes levied or collected or purporting to have been levied or collected during the aforesaid period shall be deemed always to have been validly levied or collected in accordance with law.

Explanation.—In this section, ‘law of a State’ in relation to a State specified in Part C of the First Schedule to the Constitution, means any law made by the Legislative Assembly, if any, of that State or extended to that State by a notification issued under section 2 of the Part C States (Laws) Act, 1950. (30 of 1950)3. **Repeal of Ordinance 3 of 1956.**—The Sales-Tax Laws Validation Ordinance, 1956, is hereby repealed.*Received Assent on 21-3-56***THE CAPITAL ISSUES (CONTINUANCE OF CONTROL) AMENDMENT ACT, 1956**

(8 of 1956)

AN

ACT

further to amend the Capital Issues (Continuance of Control) Act, 1947

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Capital Issues (Continuance of Control) Amendment Act, 1956.2. **Amendment of long title and preamble, Act 29 of 1947.**—In the long title of, and the preamble to, the Capital Issues (Continuance of Control) Act, 1947 (hereinafter referred to as the principal Act), the words “the continuance of” shall be omitted.3. **Amendment of section 1.**—In section 1 of the principal Act,—

(a) in sub-section (1), the words “Continuance of” shall be omitted;

(b) sub-section (3) shall be omitted.

*Received Assent on 21-3-56***THE LIFE INSURANCE (EMERGENCY PROVISIONS) ACT, 1956**

(9 of 1956)

AN

ACT

to provide for the taking over, in the public interest, of the management of life insurance business pending nationalisation thereof

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Life Insurance (Emergency Provisions) Act, 1956.

2. Definitions.—In this Act, unless the context otherwise requires,—

(1) “appointed day” means the 19th day of January, 1956;

(2) “controlled business” means—

(i) in the case of an insurer specified in sub-clause (a) (ii) or sub-clause (b) of clause (9) of section 2 of the Insurance Act and carrying on life insurance business—

(a) all his business, if he carries on no other class of insurance business;

(b) all the business appertaining to his life insurance business, if he carries on some other class of insurance business also;

(c) all his business, if his certificate of registration under the Insurance Act in respect of general insurance business stands wholly cancelled for a period of more than six months on the appointed day;

(ii) in the case of any other insurer specified in clause (9) of section 2 of the Insurance Act and carrying on life insurance business—

(a) all his business in India, if he carries on no other class of insurance business in India;

(b) all the business appertaining to his life insurance business in India, if he carries on some other class of insurance business also in India;

(c) all his business in India, if his certificate of registration under the Insurance Act in respect of general insurance business in India stands wholly cancelled for a period of more than six months on the appointed day;

(iii) in the case of a provident society, as defined in section 65 of the Insurance Act, all its business;

Explanation.—An insurer is said to carry on no class of insurance business other than life insurance business if, in addition to life insurance business he carries on only capital redemption business or annuity certain business or both; and the expression “business appertaining to his life insurance business” shall be construed accordingly;

(3) “Custodian” means the person appointed under section 4 to take over the management of any controlled business;

(4) “Insurance Act” means the Insurance Act, 1938 (4 of 1938);

(5) “insurer” means an insurer as defined in the Insurance Act who carries on life insurance business in India, and includes a provident society as defined in section 65 of the Insurance Act;

(6) “notified order” means an order notified in the Official Gazette;

(7) all other words and expressions used herein but not defined, and defined in the Insurance Act, shall have the meanings respectively assigned to them in that Act.

3. Management of controlled business to vest in Government on commencement of Act.—(1) On and from the appointed day, the management of the controlled business of all insurers shall vest in the Central Government, and, pending the appointment of a Custodian for the controlled business of any insurer, the persons in charge of the management of such business immediately before the appointed day shall, on and from the appointed day, be in charge of the management of the business for and on behalf of the Central Government; and the controlled business of the insurer shall be carried on by them subject to the provisions contained in sub-sections (3) and (5) and to such further directions, if any, as the Central Government may give to them by notice addressed and sent to the principal officer of the insurer.

(2) Any contract, whether express or implied, providing for the management of the controlled business of an insurer made before the appointed day between the insurer and any person in charge of the management of such business immediately before the appointed day shall be deemed to have terminated on the appointed day.

(3) No insurer shall, without the previous approval of the person specified by the Central Government in this behalf in respect of that insurer (hereinafter referred to as the authorised person),—

(a) make any payment or grant any loan in respect of a policy of life insurance otherwise than in accordance with the normal practice observed by him in respect of such matters immediately before the appointed day;

(b) incur any expenditure from the assets appertaining to the controlled business otherwise than for the purpose of making routine payments of salaries or commissions to employees, insurance agents, special agents or chief agents or for the purpose of meeting the routine day to day expenditure;

(c) transfer or otherwise dispose of any such assets or create any charge, hypothecation, lien or other encumbrance thereon;

(d) invest in any manner any moneys forming part of such assets;

(e) acquire any immovable property out of any moneys forming part of such assets;

(f) enter into any contract of service or agency, whether expressly or by implication, for purposes connected wholly or partly with the controlled business or vary the terms and conditions of any such contract subsisting on the appointed day;

(g) enter into any other transaction relating to controlled business other than a contract relating to the issue of a new policy of life insurance or vary the terms and conditions of any agreement relating to any such transaction subsisting at the commencement of this Act.

(4) The approval of the authorised person may be given either generally in relation to certain classes of transactions of the insurer or specially in relation to any of his transactions.

(5) Every insurer shall deposit all securities and documents of title to any assets appertaining to the controlled business in any Scheduled Bank in which the insurer had an account immediately before the appointed day or in any branch of the State Bank in the place where the head office or the principal office of the insurer is situated or, where there is no branch of the State Bank in such place, the nearest branch of the State Bank; and no such security or document shall be withdrawn from the Scheduled Bank or the State Bank, as the case may be, except with the permission of the authorised person:

Provided that nothing contained in this sub-section shall apply to any security or document of title kept with approved trustees by reason of the provisions contained in sub-section (6) of section 27 of the Insurance Act, or kept in trust with an Official Trustee in pursuance of the articles of association of an insurer unless the Central Government, by notified order, otherwise directs.

Explanation.—In this sub-section,—

(a) ‘Scheduled Bank’ means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934);

(b) ‘State Bank’ means the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955).

(6) Every insurer shall deliver forthwith at the place and to the person specified in this behalf by the Central Government in respect of that insurer the following documents, namely:—

(i) the minutes book or any other book in India

containing all resolutions up to the appointed day of the persons in charge of the management of the controlled business before the appointed day;

- (ii) the current cheque books relating to the controlled business which are at the head office or the principal office of the insurer;
- (iii) all registers or other books containing particulars relating to the investment of any moneys appertaining to the controlled business including investments on mortgaged properties and all loans granted and advances made otherwise than on policies;
- (iv) all brokers' notes or certificates in the possession of the insurer in respect of any orders for the investment of any moneys appertaining to the controlled business;

Provided that if any document specified in this sub-section is relevant for the purpose of any business other than the controlled business carried on by the insurer, the person specified in the notified order shall be bound to return it to the persons in charge of the management of such other business with the least possible delay, but shall have power to place identification marks on such document or to take extracts or copies therefrom.

(7) Without prejudice to the generality of the powers conferred by sub-section (1) and to the provisions contained in sub-sections (3), (5) and (6), any directions issued under sub-section (1) may require the persons in charge of the management of the controlled business of an insurer under this Act to furnish to the Central Government or to the authorised person such returns, statements and other information relating to the controlled business as may be mentioned in the direction.

(8) The persons in charge of the management of the controlled business of an insurer under this Act shall be entitled to such remuneration, whether by way of allowance or salary as the Central Government may fix; and any such person may, by giving a month's notice in writing to the Central Government of this intention so to do, relinquish charge of the management of the controlled business.

4. Power of Central Government to appoint Custodians to take over management of controlled business.—(1) The Central Government may, as soon as it is convenient administratively so to do, appoint any person as Custodian for the purpose of taking over the management of the controlled business of an insurer.

(2) On the appointment of a Custodian under sub-section (1), all persons in charge of the management of the controlled business of the insurer for and on behalf of the Central Government immediately before such appointment shall cease to be in charge of such management and shall be bound to deliver to the Custodian all books of account, registers or other documents in their custody relating to the controlled business of the insurer.

(3) Nothing contained in sub-sections (3), (5) and (6) of section 3 shall apply to any insurer the management of whose controlled business has been taken over by the Custodian but the Central Government may issue such directions to the Custodian as to his powers and duties as it deems desirable in the circumstances of the case, and the Custodian may apply to the Central Government at any time for instructions as to the manner in which he shall conduct the management of the controlled business of the insurer or in relation to any matter arising in the course of such management.

(4) The Custodian shall receive such remuneration as the Central Government may fix; and the Central Government may at any time cancel the appointment of any person as Custodian and appoint some other person in his stead.

5. Refund of deposits made under Insurance Act.—The

Central Government may, by order, direct that the whole or any part of the deposit appertaining to his controlled business made by an insurer under section 7, section 73 or section 98 of the Insurance Act, as the case may be, shall be, returned to the Custodian who has been appointed to take over the management of the controlled business of the insurer, and every such order shall have effect notwithstanding anything contained in the Insurance Act.

6. Powers of Custodian to institute Proceedings, etc.—The Custodian may, in relation to the controlled business of any insurer the management of which has been taken over by him, exercise all or any of the powers which the Controller of Insurance or an Administrator appointed under section 52A of the Insurance Act may exercise under section 52BB, section 106 or section 107 of that Act.

7. Compensation for management of controlled business vesting in Central Government.—The amount of compensation payable in respect of the vesting in the Central Government of the management of the controlled business of an insurer shall, for every month during which the management thereof remains vested in the Central Government, be a sum which is equivalent to one-twelfth of the annual average of the share of the surplus allocated to shareholders as disclosed in the abstracts prepared in accordance with Part II of the Fourth Schedule to the Insurance Act in respect of the last two actuarial investigations relating to the controlled business as at dates earlier than the first day of January 1956:

Provided that, if in respect of the controlled business, of an insurer no such surplus as is referred to in this sub-section has been allocated to shareholders either because there are no shareholders or for any other reason, the compensation shall be payable at the rate of one rupee per month for every two thousand rupees or part thereof of the premium income of the insurer relating to his controlled business during the year 1954.

8. Compensation, how to be paid and distributed.—(1) The amount of compensation payable under section 7 shall in the first instance be payable out of the seven and a half per cent, of the surplus referred to in sub-section (1) of section 49 of the Insurance Act earned by the insurer during the period the management of the controlled business of the insurer vests in the Central Government, and where such compensation or any part thereof cannot be so paid out the Central Government shall make due provision for the payment of such compensation or part thereof as the case may be.

(2) The compensation payable under section 7 shall be distributed among the persons entitled thereto by the Central Government in such manner as may be prescribed by rules made in this behalf:

Provided that in the case of an insurer who is a company the Central Government shall have due regard to the wishes of the members expressed by them at any general meeting convened for the purpose.

9. Penalties.—If any person—

- (a) fails to deliver to the Custodian any books of account registers or any other documents in his custody relating to the controlled business of an insurer in respect of the management of which the Custodian has been appointed; or
- (b) retains any property of such insurer appertaining to the controlled business of the insurer; or
- (c) fails to comply with the provisions contained in sub-section (3) or sub-section (5) or sub-section (6) of section 3; or
- (d) fails to comply with any directions issued under sub-section (1) or sub-section (7) of section 3;

*he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

10. Insurer not to be wound up by court.—No proceeding for the winding up of an insurer the management of whose controlled business has vested in the Central Government under this Act or for the appointment of a Receiver in respect of such business shall lie in any court.

11. Exclusion of time of Act for computing period of limitation.—In computing the period of limitation prescribed by any law for the time being in force for any suit or application against any person by an insurer in respect of any matter arising out of his controlled business the time during which the Life Insurance (Emergency Provisions) Ordinance, 1956, and this Act have been in force shall be excluded.

12. Effect of Act on other laws.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any other law or in any instrument having effect by virtue of any other law.

13. Delegation of powers.—The Central Government may, by notified order, direct that all or any of the powers exercisable by it under this Act may also be exercised by any such person as may be specified in the order.

14. Protection of action taken under Act.—(1) No suit, prosecution or other legal proceeding shall lie against any Custodian or authorised person in respect of anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the Central Government or any Custodian or authorised person for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

15. Prevention of disqualification for membership of Parliament.—It is hereby declared that no person who holds any office of profit under an insurer the management of whose controlled business has vested in the Central Government under this Act shall be disqualified, or ever to have been disqualified for being chosen as, or for being, a member of either House of Parliament.

16. Exemptions.—Nothing contained in this Act shall apply to—

- (a) any insurer in respect of the management of whose affairs an Administrator has been appointed under section 52A of the Insurance Act;
- (b) any insurer whose business is being voluntarily wound up or is being wound up under the orders of a court;
- (c) any insurer to whom the Insurance Act does not apply by reason of the provisions contained in section 2E thereof;

(d) any approved superannuation fund as defined in clause (a) of section 58N of the Indian Income-tax Act, 1922 (11 of 1922);

(e) any insurance business carried on by the Government.

17. Power to make rules.—(1) The Central Government may, by notified order, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, rules made under sub-section (1) may provide for—

- (a) the form and manner in which books of accounts appertaining to controlled business shall be maintained by insurers;
- (b) the manner in which any compensation payable under this Act may be paid to the persons entitled thereto;
- (c) the circumstances in which the remuneration payable to persons in charge of the management of the controlled business of an insurer under this Act or to Custodians shall be met by the Central Government whether wholly or in part.

18. Repeal of Ordinance 1 of 1956 and savings.—(1) The Life Insurance (Emergency Provisions) Ordinance, 1956, is hereby repealed.

(2) Anything done or any action taken (including any directions given and orders and rules made) under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act were in force on the day on which such thing was done or action was taken.

Received Assent on 21-3-56

THE CONTROL OF SHIPPING (CONTINUANCE) ACT, 1956

(10 of 1956)

AN

ACT

to continue the Control of Shipping Act, 1947, for a further period.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Control of Shipping (Continuance) Act, 1956.

2. Amendment of section 1.—In sub-section (3) of section 1 of the Control of Shipping Act, 1947 (26 of 1947) for the figures "1956" the figures "1958" shall be substituted.

भाग 7—भारतीय निर्वाचन-आयोग (Election Commission of India) की वैधानिक अधिसंचालन तथा अन्य निर्वाचन सम्बन्धी अधिसंचालन।

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